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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| First Named Applicant: Schommer |) | Art Unit: 3752 |
| |) | |
| Serial No.: 09/901,155 |) | Examiner: Kim |
| |) | |
| Filed: July 10, 2001 |) | 1118.002 |
| |) | |
| For: WATER CONSERVING AND CLEANING |) | February 21, 2005 |
| APPARATUS |) | 750 B STREET, Suite 3120 |
| |) | San Diego, CA 92101 |
| |) | |

AMENDMENTCommissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

The telephonic interview of February 18, 2005 is gratefully acknowledged. This RCE is to enter the previously entered amendment, which Applicant believes overcomes the relied-upon references, all of which appear to show intervening structure between the relied-upon manifolds and the respective handles. Applicant's previous observations in this regard are incorporated herein.

Appropo the comment in the Advisory Action that the amendments do not have support in the specification, the following analysis from the MPEP is presented. MPEP §2173.05(i) advises that negative limitations and exclusionary provisos must have support in the original disclosure. The mere absence of a positive recitation is not a basis for an exclusion. However, lack of a literal basis in the original disclosure for a negative limitation may not be sufficient to establish a prima facie case of lack of support, referring to MPEP §2163 *et seq.* for further guidance.

1118-2.AM3